

*Rec.*  
Improvement Res. No. 773 - 1947

For the opening of Lafayette St.  
over and across the tracks and  
right-of-way of the New York,  
Chicago and St. Louis Railroad  
Co.

Resolution Adopted:

Thurs.. April 22, 1947, 10 A.M.

Confirmed:

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:

June 12-1947-7:30 P.M.

DECLARATORY RESOLUTION No. 773 - 1947

For the opening of Lafayette Street over and across the tracks and right-of-way of the New York, Chicago, and St. Louis Railroad Company.

Be it resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to open Lafayette Street over and across the right-of-way of the New York, Chicago, and St. Louis Railroad Company.

The opening of said Lafayette Street as above described to be made by condemning and appropriating a right-of-way for street purposes over and across the following property, to-wit:

Commencing at the intersection of the east property line of Lafayette Street and the south right-of-way line of The New York, Chicago, and St. Louis Railroad Company;

Thence north on the east property line of Lafayette Street produced north, to the north right-of-way line of said Railroad Company;

Thence northwesterly along the north right-of-way line of said Railroad Company to the west property line of Lafayette Street produced south;

Thence south along the west property line of Lafayette Street produced south, to the south right-of-way line of said Railroad Company;

Thence east along the south right-of-way line of said Railroad Company to the place of Beginning,

said real estate being located in Section Two (2), Township Thirty (30) North, Range Twelve (12) East, and lying within the corporate limits of the City of Fort Wayne, Allen County, Indiana.

All as shown by a plan of such proposed street opening now on file in the office of the Department of Public Works of said city.

The cost of said opening as above described shall be assessed against the property beneficially affected thereby.

All according the the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled, "An Act Concerning Municipal Corporations", approved March 6, 1905, and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5%) per centum per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from said property owner or owners for said condemnation of property or for the payment of any bond or bonds, certificate or certificates issued in payment for such proposed damages, except for such moneys as shall have been actually received by the City from assessments for such property damages or such moneys as said City is by said above entitled act required to pay. All proceedings had in the making of said improvements, assessment of property, collection of assessments and issuance of bonds therefor shall be as provided for in said above entitled act and all amendments thereto and supplemental thereof.

ADOPTED THIS 22nd DAY OF April, 1947

Attest: John W. Smith  
Secretary

Robert H. Bearno  
Frank W. Menze  
John H. Johnson  
Board of Public Works





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93	1
48	2
40	72

OPEN

NE S  
WAYNE

City Of Fort Wayne  
Indiana



OFFICE OF  
BOARD OF PUBLIC WORKS

April 15, 1947

FORT WAYNE, INDIANA

Mr. Chauncey R. McAnlis  
City Engineer  
Fort Wayne, Indiana

Dear Sir:

You are hereby instructed to prepare plans, specifications, estimate and resolution for the opening of Lafayette Street, over and across the tracks and right-of-way of the New York, Chicago and St. Louis Railroad.

Yours truly,

Note: Plans, specifications, estimate  
and resolution are to be submitted  
not later than April 22nd.

ATTEST: Helen W. Sweet  
Secretary

HWS:hs

John H. Johnson  
BOARD OF PUBLIC WORKS





BEFORE THE BOARD OF PUBLIC WORKS  
OF  
THE CITY OF FORT WAYNE, INDIANA

IN THE MATTER OF AN ASSESSMENT OF BENEFITS  
OR AWARD OF DAMAGES

TO THE CITY OF FORT WAYNE, INDIANA,  
BOARD OF PUBLIC WORKS:

ANSWER

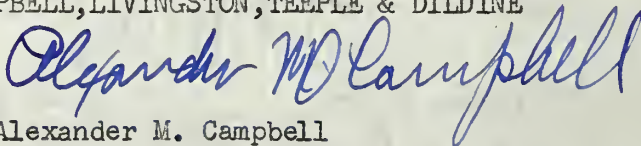
Comes now, The New York, Chicago and St. Louis Railroad Company,  
by its counsel, Campbell, Livingston, Teeple & Dildine, and acknowledges  
service of notice, copy of which is attached hereto and marked Exhibit  
"A".

The New York, Chicago and St. Louis Railroad Company, by way of  
answer to said notice given than an assessment of benefits or awards of  
damages on account of the opening of Lafayette Street across and over the  
right of way and tracks of the New York, Chicago and St. Louis Railroad  
Company, made against the property of said Railroad Company, as described  
in said notice, situated in the City of Fort Wayne, in Allen County,  
State of Indiana, and has no objection to the assessment of benefits  
in the amount of One and no/100 (\$1.00) Dollar, as set forth in said  
notice, and has no objection to the amount of damages in the amount of  
One and no/100 (\$1.00) Dollar as set forth in said notice.

CAMPBELL, LIVINGSTON, TEEPLE & DILDINE

By:

Alexander M. Campbell



Made a matter of record:  
June 12, 1947  
Record 28 - page 471-472



DEPARTMENT OF PUBLIC WORKS  
Office of the Board: Room No. 101, City Hall

Fort Wayne, Indiana, May 27, 1947

New York, Chicago and St. Louis Railroad Co.  
c/o Supt. Ft. Wayne-Chicago Div.  
Calhoun and Nickel Plate Tracks  
Ft. Wayne, Ind.

Notice is hereby given you that an assessment of benefits, or award of damages, on account of the opening of Lafayette Street across and over the right-of-way and tracks of the New York, Chicago and St. Louis Railroad Company has been made against property, situated in the City of Fort Wayne, in Allen County, State of Indiana, recorded as being owned by you, known and described as follows which assessment of benefits is set opposite said description:

	<u>Amount of Benefits</u>	<u>Amount of Damages</u>
Commencing at the intersection of the east property line of Lafayette St. and the south right-of-way line of the New York, Chicago and St. Louis Railroad Company, thence north on the east property line of Lafayette Street produced north, to the north right-of-way line of said Railroad Company; thence northwesterly along the right-of-way line of said Railroad Company; etc/..... "	\$1.00	\$1.00

All in pursuance to Declaratory Resolution No. 773, adopted by the Board of Public Works of said City, on the 22nd day of April, 1947, authorized by the provisions of an act of the General Assembly of the State of Indiana, approved March 6th, 1905. Entitled "An Act Concerning Municipal Corporations," and under all acts amendatory thereto and supplemental thereof.

The Board of Public Works will meet, in its office, at 7:30 o'clock P. M., on the 12th day of June, 1947, for the purpose of hearing and considering any remonstrance which you may desire to present in regard to the amount of your assessment of benefits or award of damages, as aforesaid.

By Order of

BOARD OF PUBLIC WORKS.

By Helen W. Sweet  
Secretary

EXHIBIT "A"  
(Copy)

